



SPECIAL AND REGULAR MEETING

**BOARD OF DIRECTORS
MIDPENINSULA REGIONAL OPEN SPACE DISTRICT**

Administrative Office
330 Distel Circle
Los Altos, CA 94022

Wednesday, March 14, 2018

DRAFT MINUTES

SPECIAL MEETING – STUDY SESSION

President Cyr called the special meeting of the Midpeninsula Regional Open Space District to order at 6:04 p.m.

ROLL CALL

Members Present: Jed Cyr, Nonette Hanko, Cecily Harris, Larry Hassett, Yoriko Kishimoto, Pete Siemens, and Curt Riffle

Members Absent: None

Staff Present: Acting General Manager Ana Ruiz, Acting General Counsel Hilary Stevenson, Acting Assistant General Manager Brian Malone, Acting Assistant General Manager Christine Butterfield, Chief Financial Officer Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Acting Public Affairs Manager Cydney Bieber, Governmental Affairs Specialist Joshua Hugg

1. Preserve Use Survey – Intercept Survey Update (R-18-04)

Governmental Affairs Specialist Joshua Hugg outlined the goals of the survey, the methodology used for the intercept surveys, and timeline during which the survey was conducted. Mr. Hugg introduced Patrick Tierney, Ph.D., who designed and conducted the surveys.

Dr. Tierney reviewed the results of the intercept surveys.

Director Harris inquired how often similar surveys should be repeated.

Dr. Tierney reported similar surveys are conducted every eight to ten years.

Director Riffle inquired whether Dr. Tierney identified any key takeaways.

Dr. Tierney pointed to results that reveal underserved communities, demonstrate overall satisfaction with District preserves, moderate facility suggestions, parking concerns, etc.

Public comments opened at 6:52 p.m.

A member of the audience who was a volunteer survey taker commented that various visitors both wanted more parking and fewer visitor interactions.

Public comments closed at 6:53 p.m.

Director Hanko suggested posting signage to alert visitors should bring their own water.

Director Kishimoto inquired regarding future actions to reach out to underserved communities.

Acting General Manager Ana Ruiz reported staff will be looking at solutions for reaching these communities following the completion of various focus groups, which are reaching out to members of underserved communities.

No Board action required.

ADJOURNMENT

President Cyr adjourned the special meeting of the Board of Directors of the Midpeninsula Regional Open Space District at 6:59 p.m.

REGULAR MEETING

President Cyr called the regular meeting of the Midpeninsula Regional Open Space District to order at 7:08 p.m.

Director Cyr reported the Board met in closed session on January 24, 2018, and Acting General Counsel Hilary Stevenson provided the following report:

In closed session on January 24, 2018, the Board gave its approval to enter into a settlement agreement with the John and Judah Staples Family Trust. The vote was 6-0 in support. The agreement is on file in the District General Counsel's office and lodged in San Mateo County Probate Court.

Director Hassett dedicated the meeting to the memory of Ruth Waldhauer who recently passed away and was an avid supporter of the District.

ROLL CALL

Members Present: Jed Cyr, Nonette Hanko, Cecily Harris, Larry Hassett, Yoriko Kishimoto, Pete Siemens, and Curt Riffle

Members Absent: None

Staff Present: Acting General Manager Ana Ruiz, Acting General Counsel Hilary Stevenson, Acting Assistant General Manager Brian Malone, Acting Assistant General Manager Christine Butterfield, Chief Financial Officer Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Acting Public Affairs Manager Cydney Bieber, Engineering & Construction Manager Jay Lin, Capital Projects Field Manager Bryan Apple

ORAL COMMUNICATIONS

No speakers present.

ADOPTION OF AGENDA

Motion: Director Riffle moved, and Director Kishimoto seconded the motion to adopt the agenda.

VOTE: 7-0-0

CONSENT CALENDAR

Public comment opened at 7:18 p.m.

No speakers present.

Public comment closed at 7:18 p.m.

Motion: Director Riffle moved, and Director Harris seconded the motion to approve the Consent Calendar.

VOTE: 7-0-0

- 1. Approve February 28, 2018 Minutes**
- 2. Claims Report**
- 3. Award of Contract for Tenant Improvements at 5755 Alpine Road, La Honda, in the Russian Ridge Open Space Preserve (R-18-20)**

Acting General Manager's Recommendations:

1. Award a contract to Belz Construction, Inc., of Orangevale, CA, for residence improvements at 5755 Alpine Road, La Honda, in the Russian Ridge Open Space Preserve for a base contract amount of \$73,000.
2. Authorize a 15% contract contingency of \$11,000, to be reserved for unanticipated issues, thus allowing the total contract amount not-to-exceed \$84,000.

Director Riffle inquired if District staff could provide photos when contracts come forward related to property repairs.

Real Property Specialist I Jean Chung provided photos of the residence and the proposed repairs and improvements.

4. Approval of the Updated Classification and Compensation Plan (R-18-23)

Acting General Manager's Recommendation: Adopt a resolution amending the Classification and Compensation Plan, to set the compensation for out-of-classification appointments pursuant to AB 1487.

5. Cost Sharing Agreement with Santa Clara County, Santa Clara Valley Water District, and Guadalupe Rubbish Disposal, Inc., for the Guadalupe River Watershed Mercury Total Maximum Daily Load Coordinated Monitoring Program (R-18-22)

Acting General Manager's Recommendations:

1. Determine that the recommended action is Categorically Exempt from the California Environmental Quality Act.
2. Authorize the Acting General Manager to execute the Cost Sharing Agreement to participate in the Guadalupe River Watershed Mercury Total Maximum Daily Load Coordinated Monitoring Program.

Director Riffle inquired regarding the end of this monitoring program.

Natural Resources Manager Kirk Lenington reported the program is currently open-ended based on the mercury level targets set by the Santa Clara Valley Water District.

BOARD BUSINESS

6. Alpine Road Trail Repair Project (R-18-19)

Capital Projects Field Manager Bryan Apple outlined the project goals, including rehabilitation of the trail connection, reduction of chronic sediment input to Corte Madera Creek, provide for patrol and maintenance vehicle access, and potential cost-sharing opportunities with partners.

Acting Assistant General Manager Brian Malone described the history of Alpine Road, including District purchase of Coal Creek Open Space Preserve, mid-1990s landslide, cessation of maintenance by San Mateo County, and repeated culvert failures.

Director Hassett inquired whether Alpine Road was on District land or San Mateo County land and therefore whether the District or County is financially responsible for repairs.

Mr. Malone reported San Mateo County is not currently maintaining Alpine Road Trail.

Mr. Apple described the three options for repairing Alpine Road Trail, including the proposed road widths, preliminary cost estimates, and the benefits of each option. Finally, Mr. Apple outlined the preliminary project schedule, including environmental review, approval of a final design, and an extensive permit process with multiple regulatory agencies.

Director Kishimoto inquired regarding how sediment would be reduced.

Mr. Apple explained that following design approval, the drainage system would be repaired, which would reduce sedimentation.

Director Harris suggested District staff could provide an informational presentation on Alpine Road Trail to the San Mateo County Board of Supervisors to encourage county funding of the repairs.

Director Hanko spoke in favor of repairing the Alpine Road Trail.

Director Riffle suggested there might be advantages to completing a 12-foot wide road now while permits are being sought.

Mr. Apple explained creation of a new road would require additional design work, environmental review, and additional permits, which could delay the project further.

Public comment opened at 8:04 p.m.

Charlie Krenz, president of the Silicon Valley Mountain Bikers, spoke in favor of repairing Alpine Road Trail and expressed his preference for Option Two, which would provide a more natural trail.

Mike Bushue spoke in favor of a full access multi-use trail.

Public comment closed at 8:08 p.m.

Director Kishimoto spoke in favor of Options Two or Three.

Director Riffle requested clarification regarding ownership of the Alpine Road Trail.

Mr. Malone explained the District owns most of the land in fee, but San Mateo County owns the road easement. District staff will return to the Board to provide additional property negotiations prior to construction.

Director Hassett spoke in favor of Option Two stating a narrower trail would be easier to maintain over time, including better drainage, and patrol and maintenance concerns would continue under Option Three. Additionally, San Mateo County should handle all permitting costs.

President Cyr spoke in favor of maintaining a narrower trail rather than a wide road and spoke in favor of Option Three.

Motion: Director Kishimoto moved, and Director Hassett seconded the motion to approve selection of repair Option Two for the Alpine Road Trail Repair Project, as described further in the staff report, to proceed with design plans and environmental review.

Director Hassett inquired if a narrower trail would require the San Mateo County to abandon their road easement.

Real Property Manager reported the District is interested in a quitclaim of the easement, which would grant to the District the road easement. Further real property negotiations are necessary.

Friendly Amendment: Director Harris offered a friendly amendment to direct staff to pursue negotiations with San Mateo County funding for design and permit costs.

Directors Kishimoto and Hassett accepted the friendly amendment.

Board members requested and received clarification regarding the road easement locations on private and District property.

Director Riffle and President Cyr explained they would be voting against the motion because the wider road option was recommended by staff, and would improve patrol and maintenance vehicle access and efficiency. However, they are both in favor of repairing Alpine Road Trail

VOTE: 4-3-0 (Director Cyr, Hanco, and Riffle dissenting.)

7. Project Delivery Process for the Administrative Office Development Project and Creation of an Ad Hoc Committee of the Board of Directors to Guide the Design Team Hiring Process and Public Engagement Approach (R-18-21)

Engineering & Construction Manager Jay Lin provided the staff presentation describing project milestones to date, and explained the differences between design-build and design-bid-build, including advantages and disadvantages and proposed schedules of each process. Mr. Lin described the various opportunities for design input that would be provided to the Board throughout each of the alternate processes, including study sessions, ad hoc committee meetings, regular Board meetings, and informational memorandums.

Director Hassett requested clarification regarding the purchasing policy and contract regulations related to design and contractor selection.

Ms. Stevenson explained the District is not required to select design and design-build consultants based on the lowest responsive and responsible bid.

Directors Siemens, Riffle, Cyr, and Harris spoke in favor of the design-bid-build process.

Director Hassett spoke in favor of the design-build process and the efficiency it can bring to the project.

Public comment opened at 9:05 p.m.

No speakers present.

Public comment closed at 9:05 p.m.

Motion: Director Siemens moved, and Director Riffle seconded the motion to:

1. Select Option 2: Design-Bid-Build as the preferred project delivery process for the new Administrative Office:

2. Direct the formation of a new Administrative Office Development Ad Hoc Committee, and authorize the Board President to appoint three Directors to serve on the Committee.

VOTE: 7-0-0

President Cyr appointed Directors Cyr, Kishimoto, and Siemens to serve on the Administrative Office Development Ad Hoc Committee.

INFORMATIONAL MEMORANDUM

- Cooley Landing – Project Update
- Rancho San Antonio Carrying Capacity and Multimodal Access Study
- Deer Hollow Farm White Barn Renovation Project at Rancho San Antonio Open Space Preserve
- Bear Creek Redwoods Open Space Preserve – Opening Timeline

INFORMATIONAL REPORTS

A. Committee Reports

No Committee reports.

B. Staff Reports

District Clerk/Assistant to the General Manager Jennifer Woodworth reported on upcoming tours of San Jose Water Company land and updates to the schedule of upcoming Board and Committee meetings.

Acting General Manager Ana Ruiz reported her attendance at a meeting of other park and open space agencies general managers to discuss issues that affect many of the agencies and proposed responses. Ms. Ruiz also attended the California Council of Land Trusts conference and had opportunities to meet with numerous partner agencies. Finally, Ms. Ruiz provided an update on the Four Cities Stevens Creek Corridor Project, and reported Cupertino is interested in a trail connection between the Stevens Creek Trail and Rancho San Antonio.

C. Director Reports

The Board members submitted their compensatory reports.

Director Siemens reported his attendance at the quarterly meeting of the Santa Clara County Special Districts Association.

Director Kishimoto reported her attendance at the quarterly meeting of the Santa Clara County Special Districts Association and the Cooley Landing Open House.

Director Riffle announced he will participating in an upcoming panel discussion in Los Altos discussing local parks.

President Cyr reported his recent conversations with California state legislators to express support for the District's purchase of San Jose Water Company land.

ADJOURNMENT

President Cyr adjourned the regular meeting of the Board of Directors of the Midpeninsula Regional Open Space District into closed session at 9:25 p.m.

Jennifer Woodworth, MMC
District Clerk